

FOR THE DISTRICT OF DELAWARE

Plaintiff,

V.

Defendant.

Criminal Action No. 08- 149-m

MOTION FOR DETENTION HEARING

following:

involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156)

____ Maximum sentence life imprisonment or death

____ 10+ year drug offense

_____ Felony, with two prior convictions in above categories

____ Minor victim; possession or use of firearm, destructive device or other dangerous weapon; or failure to register under 18 U.S.C. § 2250

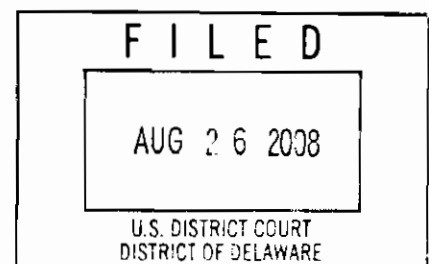
X Serious risk defendant will flee

X Serious risk obstruction of justice

no conditions of release which will reasonably assure (check one or both):

- X Defendant's appearance as required

X Safety of any other person and the community



3. **Rebuttable Presumption.** The United States WILL NOT invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (**check one or both**):

☐ Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

☐ Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

☐ At first appearance

☒ After continuance of 10 days.

5. **Temporary Detention.** The United States request the temporary detention of the defendant for a period of 10 days (not more than 10) so that the appropriate officials can be notified since (**check 1 or 2, and 3**):

1. At the time the offense was committed the defendant was:

☐ (a) on release pending trial for a felony;

☐ (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

☐ (c) on probation or parole for an offense.

☒ 2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

☒ 3. The defendant may flee or pose a danger to any other person or the community.

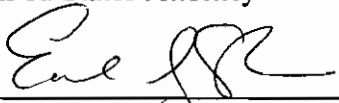
6. **Other Matters.**

DATED this 26th day of August, 2008.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY:



Edward J. McAndrew
Assistant United States Attorney